

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Bevilacqua, et al
Serial No.: 09/821,850
Date Filed: March 29, 2001


Atty Docket: 2331/112
Art Unit: 1631
Examiner: Allen, M. P.

Invention: Systems and Methods for Characterizing a Biological Condition
Or Agent Using Calibrated Gene Expression Profiles

#24 ID
Plunkett
6/7/03

Certificate of Facsimile

I hereby certify that this correspondence is being submitted via facsimile to the Commissioner for Patents, technology center 1600, Attention of Examiner Marianne P. Allen at facsimile numbers (703)-305-3014 (official copy) and (703) 746-5233 (courtesy copy), on June 26, 2003.


Barbara J. Carter, Ph.D.

Commissioner for Patents
Washington, DC 22313-1450

SUPPLEMENT TO RESPONSE B

Dear Sir:

Applicants express appreciation to the Examiner for the Advisory Action of June 23, 2003 ("the Office Action") and the opportunity to address the non-responsive aspects of Response B filed May 27, 2003 in advance of the telephone interview scheduled for July 1, 2003.

In response to the advisory action mailed June 23, 2003, please amend the application as set forth below.

12001 #24
OFFICIAL

Practitioner's Docket No. 2331/112

**PATENT
FAX RECEIVED****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

JUN 27 2003

In re application of: Bevilacqua et al.

Application No.: 09/821,850

Filed: 03/29/2001

Group No.: 1631

GROUP 1600

Examiner: Allen, M.P.

For: Systems and Methods for Characterizing a Biological
Condition or Agent Using Calibrated Gene Expression ProfilesCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**AMENDMENT TRANSMITTAL**

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is a small entity. A statement was already filed.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10****(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING☐ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

☐ with sufficient postage as first class mail.

37 C.F.R. § 1.10*

☐ as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION☒ facsimile transmitted to the Patent and Trademark Office, (703) 305-3014 (official copy) and
(703) 746-5233 (courtesy copy)

Signature

Barbara J. Carter

(type or print name of person certifying)

Date: June 26, 2003

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY			
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE		
TOTAL	3	- 339	= 0	x \$ 9.00	= \$	0.00	
INDEP.	3	- 25	= 0	x \$ 42.00	= \$	0.00	
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$ 0.00	= \$	0.00	
				TOTAL ADDIT. FEE	\$	0.00	

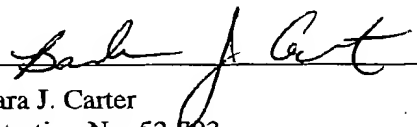
No additional fee for claims is required.

FEE DEFICIENCY

5. An additional extension and/or fee is required, charge Account No. 19-4972.

An additional fee for claims is required, charge Account No. 19-4972.

Date: June 26, 2003


 Barbara J. Carter
 Registration No. 52,903
 Bromberg & Sunstein LLP
 125 Summer Street
 Boston, MA 02110
 USA
 617-443-9292
 Customer No. 02101



002101

PATENT TRADEMARK OFFICE